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**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
SOUTHERN DIVISION**

LYNN GRIMSTAD, *et al.*,

Plaintiffs,

v.

FCA US LLC,

Defendant.

Case No. 8:16-cv-00763-JVS-E

**FCA US LLC'S AMENDED REQUEST  
FOR JUDICIAL NOTICE IN SUPPORT  
OF ITS MOTION TO TRANSFER**

**[CLASS ACTION]**

**DATE:** July 11, 2016

**TIME:** 1:30 p.m.

**JUDGE:** James V. Selna

**COURTROOM:** 10C

Pursuant to Federal Rule of Evidence 201, Defendant FCA US LLC requests  
that this Court take judicial notice of the attached documents described below:

1. The Delaware Statement of Formation for FCA US LLC, a true and

1 accurate copy of which is attached hereto as Exhibit 1. The records verifying  
2 FCA US's date of formation are publicly available through the State of Delaware at  
3 <https://icis.corp.delaware.gov/Ecorp/EntitySearch/NameSearch.aspx>.

4 2. The Order (I) Authorizing the Sale of Substantially All of the Debtors'  
5 Assets Free and Clear of All Liens, Claims, Interests and Encumbrances,  
6 (II) Authorizing the Assumption and Assignment of Certain Executory Contracts  
7 and Unexpired Leases in Connection Therewith and Related Procedures and  
8 (III) Granting Related Relief entered by the United States Bankruptcy Court for the  
9 Southern District of New York in the case of *In re Old Carco LLC (f/k/a Chrysler*  
10 *LLC)*, Case No. 09-50002 (Bankr. S.D.N.Y.), a true and accurate copy of which is  
11 attached hereto as Exhibit 2 (without its referenced exhibits). This Order is known  
12 as "the Sale Order."

13 3. The Opinion Regarding Defendant Chrysler Group LLC's Motion to  
14 Dismiss the Amended Complaint entered in *In re Old Carco LLC*, Case No. 09-  
15 50002/*Tulcaro v. Chrysler Group LLC*, Adv. Proc. No. 11-09401 (S.D.N.Y.), a true  
16 and accurate copy of which is attached hereto as Exhibit 3.

17 4. The Order Granting Defendant Chrysler Group LLC's Motion to  
18 Dismiss entered in *In re Old Carco LLC*, Case No. 09-50002/*Tatum v. Chrysler*  
19 *Group LLC*, Adv. Proc. No. 11-09411 (S.D.N.Y.), a true and accurate copy of  
20 which is attached hereto as Exhibit 4.

21 5. The May 7, 2013, letter to Nancy Lummen Lewis at the National  
22 Highway Traffic Safety Administration ("NHTSA") from Kristin J. Kolodge of  
23 FCA US LLC, which is publicly available on the NHTSA website at [http://www-](http://www-odi.nhtsa.dot.gov/acms/cs/jaxrs/download/doc/UCM437323/RCDNN-13V175-1433.pdf)  
24 [odi.nhtsa.dot.gov/acms/cs/jaxrs/download/doc/UCM437323/RCDNN-13V175-](http://www-odi.nhtsa.dot.gov/acms/cs/jaxrs/download/doc/UCM437323/RCDNN-13V175-1433.pdf)  
25 [1433.pdf](http://www-odi.nhtsa.dot.gov/acms/cs/jaxrs/download/doc/UCM437323/RCDNN-13V175-1433.pdf), a true and accurate copy of which is attached hereto as Exhibit 5.

26 6. The May 10, 2013 letter to Kristin Kolodge at FCA US LLC from  
27 Jennifer Timian at the NHTSA, which is publicly available on the NHTSA website  
28 at <http://www-odi.nhtsa.dot.gov/acms/cs/jaxrs/download/doc/UCM437946/RCAK->

1 [13V175-8078.PDF](#), a true and accurate copy of which is attached hereto as  
2 Exhibit 6.

3 7. The Opinion Granting Defendant's Motion to Dismiss entered in *In re*  
4 *Old Carco LLC/Wolff v. Chrysler Group LLC*, Case No. 09-50002, Adv. Proc.  
5 No. 10-05007, p. 7 (S.D.N.Y.), a true and accurate copy of which is attached hereto  
6 as Exhibit 7.

7 "Under Rule 201 [of the Federal Rules of Evidence], the court can take  
8 judicial notice of public records and government documents available from reliable  
9 sources on the Internet, such as websites run by governmental agencies." *U.S. ex*  
10 *rel. Modglin v. DJO Global Inc.*, 48 F.Supp.3d 1362, 1381 (C.D.Cal. 2014)  
11 (citations omitted); *see also Daniels-Hall v. National Educ. Ass'n*, 629 F.3d 992,  
12 999 (9th Cir. 2010) (taking judicial notice of list of approved vendors culled from  
13 school district website where authenticity of website was not questioned, reasoning  
14 "[i]t is appropriate to take judicial notice of this information, as it was made  
15 publicly available by government entities"); *Woong Joo Yoon v. Immigration and*  
16 *Naturalization Service*, 236 Fed.Appx. 270, 2007 WL 1545059, \*1, fn. 1 (9th Cir.  
17 2007) (granting request for judicial notice of California Secretary of State's  
18 certificate of status of a domestic corporation).

19 Furthermore, this Court can take judicial notice of the documents of record  
20 in other court proceedings. *See, e.g., Bias v. Moynihan*, 508 F.3d 1212, 1225 (9th  
21 Cir. 2007) (noting that court can "take notice of proceedings in other courts, both  
22 within and without the federal system, if those proceedings have a direct relation to  
23 matters at issue" (citations omitted)); *Rosal v. First Federal Bank of California*,  
24 671 F.Supp.2d 1111, 1121 (N.D.Cal. 2009) (granting motion to take judicial notice  
25 of bankruptcy court records).

1 DATED: May 27, 2016

2 **THOMPSON COBURN LLP**

3 By: /s/ Rowena Santos

4 Rowena Santos

5 *Attorneys for Defendant FCA US LLC*

6  
7  
8 **CERTIFICATE OF SERVICE**

9  
10 I hereby certify that on May 27, 2016, I electronically filed the foregoing  
11 document using the CM/ECF system which will send notification of such filing to  
12 the e-mail addresses registered in the CM/ECF system, as denoted on the  
13 Electronic Mail Notice List.

14 By: /s/ Rowena G. Santos